

MINUTES OF REGULAR MEETING
SUGAR CITY COUNCIL
THURSDAY MAY 27, 2021

Presiding: Mayor Steven Adams

Meeting Via Internet and at City Hall Convened at 6:30 p.m.

Prayer: Mayor Adams

Pledge of Allegiance: Councilwoman Fogle

Present at City Hall and Online: Mayor Steven Adams; Clerk-Treasurer Wendy McLaughlin; Councilors Joy M. Ball, Glenn Dayley, Connie Fogle, and Catherine Nielsen; Public Works Director Arlynn Jacobson; City Building Inspector and P&Z Administrator Quinton Owens; Chairman Dave Thompson of the Planning and Zoning Commission; Design Review Chairman Paul Jeppson; Attorney Chase T Hendricks; Community Development Specialist Kurt Hibbert; Developers Ryan Lerwill and Nathan Webb; Citizens Shawn Derrick, Becky Jeppson, and others who may have joined electronically but not identified.

CONSENT AGENDA:

MOTION: It was moved by Councilwoman Ball and seconded by Councilman Dayley to approve the minutes of 4-22-21 and 5-13-21; motion carried.

NEW WATER SYSTEM BOND CLOSING: Tabled until June 24 council meeting in order to have Bond Attorney Stephanie Bonney present.

PUBLIC WORKS REPORT:

Seasonal Employment for Special Needs Students: Special Education Director Bryon Kennedy of the Sugar Salem School District approached Mr. Jacobson about the possibility of hiring a special needs student. The school district received 8 applications. Mr. Jacobson felt he could hire two during the summer to help with weeding and painting projects. The city would be reimbursed up to 200 hours through a grant.

Water Rights Mitigation: City Attorney Hendricks stated that the city has been notified through the state water resources department that water from wells #4 and the new well #5 will not be able to be used after June 3, 2021 since the state is in a drought and they are subject to senior water rights. Sugar City has several rights before 1980 but diversion points from well #4 and now well #5 are newer. Pocatello and Rexburg have formed coalitions since they have senior rights and more than they need, and for a relatively small fee, smaller cities can join and “rent” water for their needs. Sugar City joined with Pocatello in 2016 but did not renew in 2019. Mr. Hendricks recommended that the city pay the extra fees to rejoin with Pocatello and stay current with the water coalition. The city will also mitigate water rights and usage by doing the following:

- Convert surface water to ground water through a recharge system
- Merge all water rights
- Use a secondary irrigation system to water parks
- Share rights between points of diversion

MOTION: It was moved by Councilwoman Ball and seconded by Councilwoman Fogle to authorize Sugar City to enter the settlement agreement with Pocatello's surface water coalition and city coalition to mitigate the city's ground water usage and authorize the mayor to sign any required documents and to authorize payments as required. Thereupon, the Clerk called roll upon the motion.

Those voting aye: Councilors Ball, Dayley, Fogle, and Nielsen
Those voting nay: None

Thereupon, the Mayor declared the motion passed.

PLANNING AND ZONING (P&Z) REPORT: Dave Thompson reported on the following items.

Plat, Charting, & Bonding Process: The commission is working on the plat process which will include charting and the bonding process.

Targhee Townhome Parking: There are issues with parked cars blocking the sidewalk at Targhee Townhomes. The driveway design is poor and gravel was used instead of grass along driveways which encourages the problem.

Impact Area Annexation: A public hearing date was set for the business annexation along Highway 33 south of Sugar City and north of Moody Highway.

Buffering/Fencing: The city code allows trees, hedges, and fencing for buffering between zones. Berms may be added to the code as well.

Dark Sky Ordinance: The commission is working on revising the code to include a Dark Sky Ordinance which means that outdoor lighting won't trespass property lines and will accommodate safety as well.

Design Review: The board is reviewing the storage units for Bret Stoddard's Sugar Storage.

Business Park Meeting Set: A meeting for the Business Park Committee will be scheduled soon.

PUBLIC COMMENTS: None

OLD FARM ESTATES DEVELOPMENT AGREEMENT: Kurt Hibbert and Dave Thompson reported that the Master Plan and Development Agreement for Old Farm Estates are substantially complete. The mayor will hold a special meeting if needed after the council has had 5-7 days to review the documents. The Planning and Zoning Commission wants to review the documents as well. The meeting could be combined with the council as to not hold up the process.

OLD FARM ESTATES TETON HEIGHTS DEVELOPMENT: Nathan Webb, developer for the Teton Heights project, addressed the council for an extension to the Special Use Permit granted May 17, 2020. Although ground has not been broken for the apartment buildings, infrastructure such as roads, sewer, and water are all in process. The city considers that the work has begun. Planning and Zoning Administrator Quinton Owens will write a letter of extension for Mr. Webb.

OLD FARM ESTATES DIV #4 FINAL PLAT: See above.

GENERAL BUSINSS (Discussion Only):

Forgone Budget Follow-up Report: Clerk McLaughlin reported that cities are now required to pass an annual resolution to accrue forgone property tax levying authority to be used in a future year. If the city fails to pass the resolution, that year's forgone amount would be forfeited permanently, but the city would still retain previous forgone levying authority already accrued. The bill also eliminates the current process for disclaiming forgone. The new bill took effect July 1, 2020.

GENERAL BUSINSS:

Committee Member Appointments: The mayor appointed several new members to serve on city committees listed below with the correction of Michelle Adams serving on the Parks and Recreation Committee instead of the Activities Committee:

Activities Committee

- Brook Pinnock
- Timothy Frogue

Parks and Recreation Committee

- Michelle Adams
- Gene Jeppson

MOTION: It was moved by Councilman Dayley and seconded by Councilwoman Nielsen to confirm the committee appointments, motion carried.

Stop Sign on First & Idaho: Code Enforcement Officer Jon Turner reported that the fence and trees on the corner of First and Idaho are within code. However, there is a safety concern from nearby residents who would like a stop sign to replace the yield sign. City Engineer Dick Dyer also indicated that a yield sign is appropriate unless there is a safety issue. Data indicators will be gathered for the council to review. The mayor indicated that money for safety issues and policing within the city is being planned for and budgeted. Speeding is an issue.

CALENDARED ITEMS:

First Discussion:

Infraction Penalty Revisions: Officer Turner introduced the proposed code to revise infraction penalties. The code is vague on how to apply penalties. City Attorney Hendricks suggested a penalty of \$150 for infractions unless otherwise stated.

Second Discussion:

Civil Rights Sanctuary City: Councilman Dayley suggested some changes to the title and wording of the proposed Civil Rights Sanctuary City. Those changes will be available for the council to review at the June 24 council meeting.

MAYOR AND COUNCIL REPORTS:

4th of July Float Report: Councilwoman Fogle reported that the float is moving forward ahead of schedule with participation from the community. Councilwoman Ball and Councilman Dayley were invited to ride on the float and to let Councilwoman Fogle know if they are available to do that. Four boxes of candy will be ordered. John Pocock of Pocock Trucking is supplying the trailer for the float.

24th of July St. Anthony Parade: The council will not participate in the 24th of July St.

Anthony Parade this year.

Sugar Days Report: Councilman Dayley reported he is still looking for more help with Sugar Days. Student council volunteers from the High School and employees from the bounce houses will help with the inflatables and other games. A live band has been found. A community dance, talent show, and possibly a car show are planned. Mike Stears, owner of the Sugar Cube Car Museum, will be asked if he would like to participate. Councilman Dayley also suggested that Sugar City have a booth for information, prizes, hats, and shirts – “city things”. A \$1,000 grant from Rocky Mountain Power will help with the band.

Tennis Courts: The mayor reported that Rocky Mountain Power will also donate \$1,000 to help with the tennis courts. Other grants may also be available. The city will need to budget for maintenance of the courts.

Budgeting for City Events: The mayor suggested that the city events budgets be zeroed out with donations sought to help fund the events. The council will review this idea at the budget work meeting on June 10.

Arbor Day Report: Councilwoman Ball reported the Arbor Day celebration was a big success. Jerry Miller, a member of Tree and Beautification, did a good job MCing the event. The weather was beautiful, and the singing and art wonderful. There was a lot of participation from the community. Frisbees were given to all who participated. Prizes and awards were given to the art contestants - \$5.00 gift certificates from Ole’s Burgers for the first place winners and Paramount movie tickets were given to all the winners.

Tree City USA Flag: Councilwoman Ball suggested that the Tree City USA flag be flown at the entrance into town. The Arbor Day committee is still in need of more members.

Memorial Tree Planting: Members of the Craig and Debbie Morgan family appreciated the tree planting and plaque in Neibaur Park in honor of their parents.

Historic Preservation Commission: The six member commission will meet every third Thursday at city hall. The back conference room projector will have instructions for use if needed.

Annual AIC Boise Meeting Reminder: The Annual AIC Conference in Boise is scheduled for June 16 – 18. Registrations and hotel reservations are set.

Meeting adjourned at 9:32 p.m.

Signed: _____
Steven Adams, Mayor

Attested: _____
Wendy McLaughlin, Clerk-Treasurer